UNITED STATES DISTRICT COURT
Eastern District of Virginia
Walter E. Hoffman U.S. Courthouse
600 Granby Street
Norfolk, Virginia 23510

Chambers of
Henry Coke Morgan, Jr.
Senior U.S. District Judge

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Dear Counsel:

You should confer with your client and consider consenting to proceed before a United States Magistrate Judge pursuant to 28 U.S.C. § 636(c), which provides, as follows:

> **(1) Upon the consent of the parties, a . . . United States magistrate [judge] . . . may conduct any or all proceedings in a jury or nonjury civil matter and order the entry of judgment in the case . . .**

The judgment of a United States Magistrate Judge may be appealed directly to the United States Court of Appeals for the Fourth Circuit in the same manner as an appeal from any other judgment of the court. 28 U.S.C. § 636(c)(3). The substantive rights of the parties are not affected in any way by consenting to proceed before a United States Magistrate Judge.

Parties frequently consent to have a case proceed before the United States Magistrate Judges in Norfolk and Newport News. It is preferable, but not mandatory, for consent to be given at the earliest possible stage of the proceedings in a case. Therefore, counsel should promptly confer with their clients and be prepared to advise the court of consent, or lack of consent, to proceed before a United States Magistrate Judge at the Fed. R. C. P. 16(b) conference. If a party decides to consent, counsel should be prepared to sign the attached "Notice, Consent, and Order of Reference - Exercise of Jurisdiction by a United States Magistrate Judge" at this conference. The Court requests that, if the senior attorney in charge of this case is unable to appear at the 16(b) conference, the attorney who makes the appearance be advised of the decision regarding consent and, if consent is given, be authorized to sign the form at the 16(b) conference.

While the case may be referred to a Magistrate Judge if consent is provided by all parties, even when the parties provide such consent, the undersigned shall exercise final authority as to whether an order of reference shall be entered.

Thank you for your attention.

Very truly yours,

Henry Coke Morgan, Jr.
United States Senior District Judge

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